

(i) by striking "No provision" and inserting "IN GENERAL.—Subject to subsection (g), no provision"; and

(ii) in subparagraph (A)—

(I) by striking "section 2(c), 2(d), 2(e), 2(f), or 2(g) of this Act" and inserting "subsection (c), (d), (e), or (f)"; and

(II) by striking "section 2(h)" and inserting "subsection (g)"; and

(B) in paragraph (2), by striking "No provision" and inserting "IN GENERAL.—Subject to subsection (g), no provision".

(b) Section 4i of the Commodity Exchange Act (7 U.S.C. 6i) is amended in the first sentence by inserting ", or pursuant to an exemption under section 4(c)" after "transaction execution facility".

(c) Section 8a(9) of the Commodity Exchange Act (7 U.S.C. 12a(9)) is amended—

(1) by inserting "or covered entity under section 2(g)" after "direct the contract market";

(2) by striking "on any futures contract"; and

(3) by inserting "or covered entity under section 2(g)" after "given by a contract market".

**SA 4696.** Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 3 and 4, insert the following:

(4) OPERATIONAL TEST AND EVALUATION.—

(A) PRINCIPAL OFFICIAL FOR OPERATIONAL TEST AND EVALUATION.—The Under Secretary is the official within the Department who, under the Secretary, is responsible for operational test and evaluation activities of the Department. As such, the Under Secretary is the principal adviser to the Secretary regarding such activities and shall carry out the duties set forth in the other provisions of this paragraph subject to the authority, direction, and control of the Secretary.

(B) POLICIES AND PROCEDURES.—The Under Secretary shall prescribe policies and procedures for the conduct of operational test and evaluation activities of the Department.

(C) MONITORING AND REVIEW.—The Under Secretary shall monitor and review the conduct of operational test and evaluation activities of the Department. The Under Secretary shall require prompt reports on the conduct of such activities.

(D) COORDINATION.—The Under Secretary shall coordinate operational test and evaluation that is carried out jointly by two or more Under Secretaries of Homeland Security.

(E) FINANCIAL MANAGEMENT.—The Under Secretary shall review all matters relating to the budget and financial management for operational test and evaluation by the Department and submit to the Secretary any recommendations that the Under Secretary determines appropriate regarding such matters.

(F) ACCESS TO INFORMATION.—The Under Secretary shall have access to any records and other information of the Department that the Under Secretary determines necessary to carry out the duties of the position under this paragraph.

(G) ANNUAL REPORT TO CONGRESS.—Not later than February 15 of each year, the Under Secretary shall submit to Congress a report on the conduct of operational test and evaluation activities of the Department during the fiscal year ending in the preceding year. The report shall include an assessment of the overall strength and effectiveness of

the operational test and evaluation infrastructure of the Department and, for each major system subjected to operational test and evaluation during the fiscal year covered by the report, the following information:

(i) SYSTEM MISSION.—The mission of the major system.

(ii) BACKGROUND SYSTEM INFORMATION.—Background technical and programmatic information on the major system.

(iii) TEST AND EVALUATION ACTIVITIES.—A discussion of the operational test and evaluation conducted on the major system during such fiscal year.

(iv) OPERATIONAL EFFECTIVENESS ASSESSMENT.—An assessment of the operational effectiveness of the major system, as determined on the basis of the results of the operational test and evaluation.

(H) DEFINITIONS.—In this paragraph:

(i) MAJOR SYSTEM.—The term "major system" has the meaning given such term in section 4(9) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(9)).

(ii) OPERATIONAL TEST AND EVALUATION.—The term "operational test and evaluation" means a test, under realistic combat conditions, of any item (or key component) of a technology, of a device, or of equipment for the purpose of determining the effectiveness and suitability of the technology, device, or equipment for use by typical users to meet homeland security needs or objectives, together with an evaluation of the results of such test.

(I) GAO REPORT.—Not later than two years after the effective date of this division, the Comptroller General shall submit to Congress a report on the administration of operational test and evaluation within the Department. The report shall include a discussion of the implementation of this paragraph, together with any recommendations for improvement of the implementation of this section that the Comptroller General considers appropriate. Effective 90 days after the date on which the report under this section is due, this subparagraph is repealed.

On page 91, beginning on line 9, strike "(h) OFFICE FOR TECHNOLOGY EVALUATION AND TRANSITION.—" and insert "(h) OFFICE FOR TESTING, EVALUATION, AND TRANSITION.—".

On page 91, beginning on line 14, strike "Office for Technology Evaluation and Transition" and insert "Office for Testing, Evaluation, and Transition".

On page 91, between lines 16 and 17, insert "(A) carry out the duties of the Under Secretary with respect to operational test and evaluation;".

On page 92, line 11, insert "(except for the function described in paragraph (2)(A))" after "The functions described under this subsection".

**SA 4697.** Mr. BYRD (for Mr. BIDEN) proposed an amendment to the bill H.R. 2121, An Act to make available funds under the Foreign Assistance Act of 1961 to expand democracy, good governance, and anti-corruption programs in the Russian Federation in order to promote and strengthen democratic government and civil society and independent media in that country; as follows:

At the appropriate place in the bill insert the following:

**SEC. . PRESERVING THE ARCHIVES OF HUMAN RIGHTS ACTIVIST AND NOBEL PEACE PRIZE WINNER ANDREI SAKHAROV.**

(a) AUTHORIZATION.—The President is authorized, on such terms and conditions as the President determines to be appropriate, to make a grant to Brandeis University for

an endowment for the Andrei Sakharov Archives and Human Rights Center for the purpose of collecting and preserving documents related to the life of Andrei Sakharov and the administration of such Center.

(b) FUNDING.—There is authorized to be appropriated to the President to carry out subsection (a) not more than \$1,500,000.

**SEC. . EXTENSION OF LAW.**

The provisions of section 108(c) of H.R. 3427, as enacted by section 1000(a)(7) of P.L. 106-113, shall apply to U.S. contributions for fiscal year 2003 to the organization described in section 108(c) of H.R. 3427.

## AUTHORITY FOR COMMITTEES TO MEET

### SELECT COMMITTEE ON INTELLIGENCE

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Friday, September 20, 2002 at 10:00 a.m. and 2:30 p.m. to hold a joint open hearing with the House Permanent Select Committee on Intelligence regarding the Joint Inquiry into the events of September 11, 2001.

The PRESIDING OFFICER. Without objection, it is so ordered.

## AUTHORIZING SERGEANT AT ARMS AND DOORKEEPER OF SENATE TO ASCERTAIN AND SETTLE CLAIMS ARISING OUT OF ANTHRAX EXPOSURE

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of S. Res. 329 submitted earlier today by Senator DODD.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 329) authorizing the Sergeant at Arms and Doorkeeper of the Senate to ascertain and settle claims arising out of anthrax exposure in the Senate complex.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, en bloc, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 329) was agreed to as follows:

### S. RES. 329

*Resolved*, That (a) the Sergeant at Arms and Doorkeeper of the Senate—

(1) in accordance with such regulations as the Committee on Rules and Administration may prescribe, may consider and ascertain any claim incident to service by a Member, officer, or employee of the Senate for any damage to, or loss of, personal property, for which the Member, officer, or employee has not been reimbursed, resulting from the anthrax incident of October 15, 2001, or the related remediation efforts undertaken from such date through March 15, 2002; and

(2) may, with the approval of the Committee on Rules and Administration and in accordance with the provisions of section